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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,107	10/29/2003	Peter Westermann	NOR-1157	6601
37172	7590	03/08/2005		EXAMINER
		WOOD, HERRON & EVANS, LLP (NORDSON)		LAMB, BRENDA A
		2700 CAREW TOWER		
		441 VINE STREET	ART UNIT	PAPER NUMBER
		CINCINNATI, OH 45202		1734

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/696,107	WESTERMANN, PETER
	Examiner	Art Unit
	Brenda A Lamb	1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 18 November 2004 and 18 October 2004. and 16 October 2004
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,4,6 and 8-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 4 and 10-12 is/are allowed.
- 6) Claim(s) 1,6 and 8 is/are rejected.
- 7) Claim(s) 9 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

With insertion introduced by Amendment filed 10/18/2004

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 10/18/2004 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/16/2004</u> | 6) <input type="checkbox"/> Other: _____ |

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The amendment filed 10/18/2004 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: The originally filed specification fails to teach piston and sealing body seal off a portion of the passageway for example portion of the passageway directly behind slider to prevent formation of dead space where fluid could accumulate.

Applicant is required to cancel the new matter in the reply to this Office Action.

The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on 10/18/2004 have been disapproved because they introduce new matter into the drawings. 37 CFR 1.121 (a)(6) states that no amendment may introduce new matter into the disclosure of an application. The original disclosure does not support the showing of a piston and sealing body sealing off the portion of the passageway directly behind the slider.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the piston and sealing body must be shown or the feature(s) canceled from the claim(s).

No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures

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appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Watanabe and Innes et al.

Watanabe teaches the design of an apparatus for applying fluid to a substrate movable in a principal direction of movement comprising:
a first slot nozzle capable of receiving the fluid from a fluid source and

including a first slot nozzle outlet having a width adapted to extend transversely to the principal direction of movement for applying a first fluid film onto a side of the substrate to be coated (see Figures 13-15 and 17). Watanabe teaches a first movable seal member positioned entirely outside of the first fluid passageway for adjusting the width of the first slot nozzle outlet transversely to the principal direction of movement of the substrate. Watanabe fails to teach a second slot nozzle. However, it would have been obvious to modify the Watanabe apparatus by arranging a second nozzle, identical to that of Watanabe first nozzle as shown Figures 13-15 and 17, on the oppositely facing side of the substrate since it is known to mount nozzles opposite one another such as taught by Innes et al for the obvious advantage of enabling one to simultaneously coat both sides of the substrate. Alternatively, it would have been obvious to modify Innes et al apparatus for coating opposite surfaces of a substrate by substituting its coating nozzles with that of Watanabe for the obvious advantages of greater control of the coating width applied to the substrate. Thus claim 1 is obvious over the above-cited references. With respect to claim 6, Innes et al shows that the applicator nozzle is mounted for movement toward and away from the substrate as indicated by arrows. Therefore, it would have been obvious given the combination of Innes et al and Watanabe apparatus as discussed above to movably mount the Watanabe first and second nozzle so as to adjust the gap between the first and second nozzle and thereby the distance of each of the nozzles relative to the substrate since Innes et al in Figure 2 teaches mounting the opposing nozzles so as to be movable (element 12 or 12' disclosed by being

identical) so as to adjust the above cited gap for the obvious advantage of greater control of the coating process. With respect to claim 8, Watanabe shows the first nozzle outlet lies in a plane and the first movable seal member projects out of the plane in a direction of the substrate to be coated in order to limit thickness of fluid applied by the first slot onto the substrate.

Claims 1 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Watanabe and Sandlock.

Watanabe teaches the design of an apparatus for applying fluid to a substrate movable in a principal direction of movement comprising: a first slot nozzle capable of receiving the fluid from a fluid source and including a first slot nozzle outlet having a width adapted to extend transversely to the principal direction of movement for applying a first fluid film onto a side of the substrate to be coated (see Figures 13-15 and 17). Watanabe teaches a first movable seal member positioned entirely outside of the first fluid passageway for adjusting the width of the first slot nozzle outlet transversely to the principal direction of movement of the substrate. Watanabe fails to teach a second slot nozzle. However, it would have been obvious to modify the Watanabe apparatus by arranging a second nozzle, identical to that of Watanabe first nozzle as shown Figures 13-15 and 17, on the oppositely facing side of the substrate since it is known in the art to do so as taught by Sandlock for the obvious advantage of enabling one to simultaneously coat both sides of the substrate. Alternatively, it would have been obvious to modify Sandlock apparatus for coating opposite surfaces of a substrate by substituting its coating nozzles with that of Watanabe

for the obvious advantages of the greater control of the coating width applied to the substrate. Thus claim 1 is obvious over the above-cited references. With respect to claim 8, Watanabe shows the first nozzle outlet lies in a plane and the first movable seal member projects out of the plane in a direction of the substrate to be coated in order to limit thickness of fluid applied by the first slot onto the substrate.

Applicant's arguments with respect to claims 1, 6 and 8 have been considered but are moot in view of the new ground(s) of rejection.

Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 4 and 10-12 are allowed.

The prior art fail to teach or suggest an apparatus for applying fluid to a substrate movable in a principal direction of movement comprising: a first slot nozzle capable of receiving the fluid from a fluid source and including a first slot nozzle outlet having a width adapted to extend transversely to the principal direction of movement for applying a first fluid film onto a side of the substrate to be coated, and a fluid passageway communicating between the fluid source and the first slot nozzle outlet; a first movable seal member disposed outside of the fluid passageway for adjusting the width of the first slot nozzle outlet transversely to the principal direction of movement of the substrate; a second slot nozzle having a second slot nozzle outlet and capable of

receiving the fluid from the fluid source and applying a second fluid film onto a side of the substrate to be coated that lies opposite the side coated with the first fluid film, a second movable seal member for adjusting the width of the second slot nozzle outlet transversely to the principal direction of movement of the substrate, and a third slot nozzle having a third slot nozzle outlet and capable of receiving the fluid from the fluid source and applying a third fluid film onto a third surface of the substrate.

The prior art fail to teach or suggest an apparatus for applying fluid to a substrate movable in a principal direction of movement comprising: a first slot nozzle capable of receiving the fluid from a fluid source and including a first slot nozzle outlet having a width adapted to extend transversely to the principal direction of movement for applying a first fluid film onto a side of the substrate to be coated, a second slot nozzle having a second slot nozzle outlet and capable of receiving the fluid from the fluid source and applying a second fluid film onto a side of the substrate to be coated that lies opposite the side coated with the first fluid film, first and second fluid passageways respectively communicating between the fluid source and the first and second slot nozzle outlets, a first movable seal member positioned entirely outside of the first fluid passageway for adjusting the width of the first slot nozzle outlet transversely to the principal direction of movement of the substrate, and a second movable seal member positioned entirely outside of the second fluid passageway for adjusting the width of the second slot nozzle outlet transversely to the principal direction of movement of the substrate, wherein the

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first slot nozzle includes a width and the fluid passageway extends across the width of the first slot nozzle and the first slot nozzle outlet lies in a plane, and the apparatus further comprises a piston movable in the fluid passageway to seal the fluid passageway, and a sealing body extending within the plane of the first slot nozzle outlet, the piston and sealing body cooperating to adjust the width of the first slot nozzle outlet transversely to the principal direction of movement of the substrate.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda A Lamb whose telephone number is (571) 272-1231. The examiner can normally be reached on Monday and

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Wednesday thru Friday with alternate Tuesdays off. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Fiorilla, can be reached on (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brenda A. Lamb
BRENDA A. LAMB
PRIMARY EXAMINER